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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RHONDA WHITEROCK FRED,

Plaintiff,

CIV. NO. S- 10-0845 JAM GGH PS

vs.

WASHOE TRIBE OF NEVADA &
CALIFORNIA,

Defendant.

ORDER

Plaintiff is proceeding pro se in this action, referred to the undersigned pursuant to Local Rule 72-302(c)(21). Defendant’s motion to dismiss was noticed for hearing on the January 27, 2011, law and motion calendar of the undersigned. Opposition to motions, or a statement of non-opposition thereto, must be filed fourteen days preceding the noticed hearing date. E.D. Cal. L. R. 78-230(c). Court records reflect that plaintiff failed to file opposition or a statement of non-opposition to the motion. As a result, the January 27, 2011, hearing was vacated.

Failure to comply with the Local Rules “may be grounds for imposition by the Court of any and all sanctions authorized by statute or Rule or within the inherent power of the Court.” E.D. Cal. L. R. 110; see Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Additionally, “[n]o party will be entitled to be heard in opposition to a motion at oral arguments if written

1 opposition to the motion has not been timely filed.” E.D. Cal. L. R. 230(c). Pro se litigants are
2 bound by the rules of procedure, even though pleadings are liberally construed in their favor.
3 King v. Atiyeh, 814 F.2d 565, 567 (9th Cir. 1987); Jacobsen v. Filler, 790 F.2d 1362, 1364-65
4 (9th Cir. 1986). The Local Rules specifically provide that cases of persons appearing in propria
5 persona who fail to comply with the Federal and Local Rules are subject to dismissal, judgment
6 by default, and other appropriate sanctions. E.D. Cal. L. R. 183.

7 Good cause appearing, IT IS HEREBY ORDERED that plaintiff is directed to file
8 opposition to the motion to dismiss, or a statement of non-opposition thereto, no later than 21
9 days from the date of this order. Failure to file opposition or to file a statement of non-
10 opposition, will be deemed a statement of non-opposition, and shall result in a recommendation
11 that this action be dismissed.

12 DATED: February 14, 2011

13 /s/ Gregory G. Hollows

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15 GREGORY G. HOLLOWES
16 U. S. MAGISTRATE JUDGE

17 GGH: AB
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